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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,703	06/28/2001	Hiroshi Ohmura	740819-0574	4228
22204	7590	08/11/2006	EXAMINER	
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			REFAI, RAMSEY	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/892,703	Applicant(s) OHMURA ET AL.	
	Examiner Ramsey Refai	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspond nc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Responsive to Amendment received April 5, 2006 wherein claims 8 and 9 were amended and claims 10-11 were newly added. This communication is also responsive to supplemental amendment filed on April 18, 2006 in which claims 1 and 3-6 were amended and claims 12-16 were newly added. Claims 1-6 and 8-16 are now pending further examination.

Response to Arguments

1. Applicant's arguments filed April 5, 2006 and September 6, 2005 have been fully considered but they are not persuasive.

- In the remarks, the Applicant argues in substance that:

Argument A: *the Applicant requests the Examiner formally withdraw the former examiner's statements regarding the Gotou, Aratow, and Phelen references in section 2 of the action dated June 3, 2005 for reasons stated on page 7 of the Applicant's September 6, 2005 response.*

In response, although no clear understanding of why the previous examiner made those comments, the Examiner withdraws the previous Examiner comments regarding the Gotou, Aratow, and Phelen references.

Argument B: *Fujiwara does not teach or suggest a server that comprises pieces of map selection data, that the server sends the map selection data to the in-vehicle unit, and that the in-vehicle unit selects a map based on the map selection data sent from the server.*

In response, the Examiner respectfully disagrees. Fujiwara teaches that the information display equipment (in vehicle unit) contains the map stored in map memory 12 (Figure 2, paragraphs [0002-0005, 0042]) and an arithmetic processing department 10, shown more clearly in Figure 5 to contain several components. One of the components is the data read-in means 57, which

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selects to read out the map data of the display domain, which is set from the map memory (paragraph [0067]). The size of the retrieve neighborhood is a range of the map to display the requested information, which may be set by the information offering equipment (server) (paragraphs [0074-0075]). The claims do not state that the in-vehicle unit or computer contain *a plurality of maps* but rather that a map is selected from the *pieces of map data*, which is interpreted as selecting a portion of the map to display with a specific range or scale in which information requested is to be displayed on, such as size of neighborhood (paragraphs [0074-0076]). Therefore Fujiwara meets the scope of the claimed limitations.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 1, 2, and 8-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 8, and 9 recite the limitation "the individual maps". There is insufficient antecedent basis for this limitation in the claim. Claims 2, 10, 11, and 12 depend on the above rejected claims and are therefore rejected under the same rationale.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-6 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiwara et al (U.S. PGPUB 2004/0012506).

6. As per claim 1, Fujiwara et al teach an information service system comprising:

an in-vehicle unit mounted in a vehicle (Figure 1);

a computer installed at a specific location other than the vehicle (Figures 1 and 3);

and

a server linked to the in-vehicle unit and the computer via a network (paragraph [0038]),

wherein the in-vehicle unit and the computer each comprise pieces of map data,

the server comprises pieces of map selection data, each of which specifies a map to be selected by the in-vehicle unit from among the pieces of map data as a map on which additional information is to be presented, and pieces of coordinate data, each of which specifies a point where additional information is to be presented on the, selected map, and is configured to transmit, based on a request signal sent from the in-vehicle unit, a specified piece of map selection data and a specified piece of coordinate data, both corresponding to the request signal to the in-vehicle unit or the computer (Figure 16, paragraphs [002, 006, 008, 009, 0011]), and

the in-vehicle unit or the computer are configured to present the individual maps by selecting a specified map from among the pieces of map data based on the associated piece of map selection data transmitted from the server and adding information to a specified point on the selected map based on the associated piece of coordinate data transmitted from the server (Figure 16, paragraphs [002, 006, 008, 009, 0011]).

7. Fujiwara et al fails to teach that the server transmits the data to the in-vehicle unit *and* the computer. However, it would have been obvious to one of the ordinary skill in the art at the time of the Applicant's invention to transmit data to an in-vehicle unit *and* a computer because

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doing so would expand the services provided by the server, such navigation services, to users at a personal computers .

8. As per claim 2, Fujiwara et al teach wherein the in-vehicle unit or the computer contains pieces of image data embeddable in an HTML document in addition to the pieces of map data,

the server comprises pieces of HTML document data, and pieces of image selection data each of which specifies an image to be embedded in the HTML document and is configured to transmit the map selection data, coordinate data, HTML document data and image selection data to the in-vehicle unit and the computer (Figure 14, paragraphs [0038, 0112]), and

the in-vehicle unit or the computer is configured to present the HTML document by selecting a specified image from among the pieces of image data based on the associated piece of image selection data transmitted from the server and adding the selected image to a specified point on the associated piece of HTML document data transmitted from the server (Figure 14, paragraphs [0038, 0112]).

Fujiwara et al fails to teach that the server transmits the data to the in-vehicle unit *and* the computer. However, it would have been obvious to one of the ordinary skill in the art at the time of the Applicant' s invention to transmit data to an in-vehicle unit *and* a computer because doing so would expand the services provided by the server, such navigation services, to users at a personal computers.

9. As per claims 3, 8, and 9, the claims contain similar limitations as claim 1 above, therefore are rejected under the same rationale.

10. Regarding claims 4-6, the claims recite the in-vehicle unit having limitations corresponding to the above-mentioned. Despite the fact that the claims recites a term " plug-in", the claims do not distinguish over Fujiwara, because the " plug-in" is a known and arbitrarily used in place of modular software, which is required in HTML, JAVA or any other

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Markup language, to display data on a portable device. Although Fujiwara et al fail to explicitly teach the “ plug in” feature, Fujiwara et al’ s teaching of modular software, including the using of HTML file, meets the scope of the claimed limitations.

11. As per claims 10-16, Fujiwara et al teach wherein each piece of the map data has a different scale; and each piece of the map selection data selects a scale of the map on which additional information is to be presented from among the pieces of map data having different scales (paragraph [0066-0068, 0071-0074]).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai
Examiner
Art Unit 2152
July 25, 2006



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